

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21792 of 2019

Arising Out of PS. Case No.-933 Year-2017 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Amit Kumar @ Sonu Son of Mahesh Thakur Resident of Village - Jogiyara
Pator, P.S.- Laheriayasara, Distt - Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Md. Emran Son of Md. Nadiruddin Resident of Village - Laxarampur, P.S.-
Kalyanpur, Distt - Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Mr.Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

6 07-08-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 933 of 2017, T.R. No. 3053 of 2018 in
which cognizance has been taken under Section 420/34, 465/34
of the Indian Penal Code.

The allegation against the petitioner that petitioner
along with other accused persons took a sum of rupees two and
half lakh from the complainant in the name of providing job in
the health department.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case only due to the



fact that he is working in the Primary Health Centre, Kalyanpur. Learned counsel further submits that from perusal of Annexure-A series filed by the complainant which is a bond executed by another accused person Indrajeet Kumar and the same is not signed by the petitioner. Indrajeet Kumar undertook to refund of the money taken in the name of providing job.

Learned counsel further submits that petitioner no.2 against whom the allegation is that she along with her husband had gone to the complainant, alluring him to provide job on the basis of the amount given by the petitioner, has been granted bail by this court in Cr. Misc. No. 1175 of 2019.

On the other hand, learned counsel appearing for the complainant vehemently opposed the prayer for bail and submits that all the accused persons jointly allured the complainant and received the amount on the assurance that they would provide Government Job in the Health Department to the complainant.

After having heard learned counsel for the parties and taking into consideration the fact that the bond which was given to the complainant by other accused person was not signed by the petitioner and further similarly situated accused has been granted bail by this Court, I am inclined to grant anticipatory



bail to the petitioner.

Let the petitioner, above named, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Samastipur, in connection with Complaint Case No. 933 of 2017, T. R. No. 3053 of 2018; subject to condition as laid down hereinabove and under Section 438(2) of the Code of Civil Procedure.

(Anil Kumar Sinha, J)

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